

Application No. 09/944,783  
Attorney Docket No. XPL-001-US  
Response to Office Action dated July 1, 2004  
Page 6 of 8

**REMARKS**

As a preliminary matter, the Applicant thanks the Examiner for renumbering claims 13-18. Due to a typographical error, the claim set submitted with the original application did not include a claim 13. This response treats the original claims as claims 1-18 based upon the renumbering by the Examiner. As the affected dependent claims refer to claim 13, the dependence (post renumbering) is correct and no amendment to the claims is needed.

Claims 1-18 are currently pending, all of which have been rejected. In particular, claims 1-4, 6-10, 12-16 and 18 are rejected under 35 U.S.C. §102(e) as being anticipated by Dunlap et al. (US 6,560,637), and claims 5, 11 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dunlap. Applicant respectfully traverses these rejections.

Turning to prior art rejections, Applicant starts with the rejection of claim 1. With respect to the first two elements, the reading and determining steps, neither the text of Dunlap cited by the Examiner (col. 4, lines 1-20) nor any other portion of Dunlap teaches or suggests any use of the metadata corresponding to the application specific file. Simply put, metadata is a foreign concept to Dunlap. Further, with respect to the determining step, Dunlap fails to teach any determination of whether the file extension corresponds to the specific application regardless of whether metadata is used.

Additionally, Dunlap fails to teach any validation of the application specific file let alone the validation recited in claim 1. Indeed, the Examiner fails to even cite any text from Dunlap that does, thereby tacitly admitting that Dunlap fails to anticipate claim 1 and all of its dependent claims.

With respect to the recited modifying and validating the resolution steps, Dunlap does not provide any teachings relating to the resolution of the universal format file. Again, the Examiner fails to even cite any text from Dunlap that does, thereby tacitly admitting that Dunlap fails to anticipate claim 1 and all of its dependent claims.

As to the storing step of claim 1, Dunlap only teaches the use of a universal format file. Dunlap does not teach further modification of this file. The text in Dunlap cited by the Examiner (col. 4, lines 35-54) relates to the home page 400 transmitted by web server 304. The cited text is irrelevant to the universal format files, whether unmodified or modified.

For the above reasons, claims 2-6 are also allowable over the prior art, as are claims 13-18, which are similar in scope (but not the same) as claims 1-6. Claims 13-18 are system claims while claims 1-6 are method claims.

Application No. 09/944,783  
Attorney Docket No. XPL-001-US  
Response to Office Action dated July 1, 2004  
Page 7 of 8

With respect to specific dependent claims, claim 6 recites converting the modified universal format file to an image stream. In addition to the failure of Dunlap to teach a modified universal format file, Dunlap does not teach conversion of any files to an image stream. The text in Dunlap cited by the Examiner (col. 5, lines 25-68 and col. 4, lines 15-55) only addresses the conversion of a presentation file 306 to presentation image files 312 that are then displayed to the presenter and viewers, as well as the web pages provided to the presenter and the viewers.

Turning to claim 7, with respect to the reading and determining steps, Dunlap does not teach or suggest any use of the metadata corresponding to the PowerPoint file. Of note, the Examiner fails to cite any anticipating text in Dunlap, however to the extent that the Examiner is relying on col. 4, lines 1-20 (cited with respect to other steps in claim 7 and steps in claim 1), this text also is void of any mention of metadata. Simply put, metadata is a foreign concept to Dunlap. Further, with respect to the determining step, Dunlap fails to teach any determination of whether the file extension corresponds to the PowerPoint file regardless of whether metadata is used.

Additionally, Dunlap fails to teach any validation of the PowerPoint file let alone the validation recited in claim 7. Indeed, the Examiner fails to even cite any text from Dunlap that does, thereby tacitly admitting that Dunlap fails to anticipate claim 7 and all of its dependent claims.

As to the dispatching step, there is no teaching in Dunlap of a converter algorithm application or the use of any algorithms. Again, the Examiner fails to even cite any text from Dunlap that does, thereby tacitly admitting that Dunlap fails to anticipate claim 1 and all of its dependent claims.

With respect to the recited modifying and validating the resolution steps, Dunlap does not provide any teachings relating to the resolution of the universal format file. Again, the Examiner fails to even cite any text from Dunlap that does, thereby tacitly admitting that Dunlap fails to anticipate claim 7 and all of its dependent claims.

As to the storing step of claim 7, Dunlap only teaches the use of a universal format file. Dunlap does not teach further modification of this file. The text in Dunlap cited by the Examiner (col. 4, lines 35-54) relates to the home page 400 transmitted by web server 304. The cited text is irrelevant to the universal format files, whether unmodified or modified.

For the above reasons as well as those relating to the dependent claims of claim 1 that contain similar language (although the claims do differ in scope), claims 8-12 are also allowable

Application No. 09/944,783  
Attorney Docket No. XPL-001-US  
Response to Office Action dated July 1, 2004  
Page 8 of 8

over the prior art.

Lastly, the Applicant challenges the rejections under 35 U.S.C. §103 in that the Examiner takes official notice that modifying the resolution of the universal format to 400 X 300 is well known in the art. As a matter of law, this rejection cannot stand. The Examiner is relying upon what is known rather than what was known at the time of the invention. In short, the Examiner has applied the wrong standard to determine obviousness. To the extent that the Examiner believes that this teaching was known at the time of the invention, Applicant asserts that the Examiner is improperly relying upon hindsight, fails to identify the motivation to combine Dunlap and this supposed well known teaching either in Dunlap or the supposed well known teaching. Further, Applicant challenges the official notice taken by the Examiner and requests that the Examiner identify a prior art document that discloses the supposed well known teaching.

Applicant respectfully submits that the pending claims are allowable, and respectfully requests a Notice of Allowance for this application. Should the Examiner believe that a telephone conference would expedite the prosecution of this application; the undersigned can be reached at the telephone number set out below.

Respectfully submitted,



DATE: November 30, 2004

---

Mitchell Rosenfeld  
Reg. No: 36,258

Correspondence Address:  
Capstone Law Group LLP  
1810 Gateway Drive, Suite 260  
San Mateo, CA 94404  
Customer No. 31955  
(650) 577-4500